

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

GLO SCIENCE, INC.  
10 West 37<sup>th</sup> Street, Suite 1001  
New York, NY 10018  
a Delaware Corporation

Plaintiff,

v.

Ran Tao, d/b/a “glowup.”  
1718 Federal Avenue, # 10  
Los Angeles, CA 90025

and

HEYGLOWUP LLC  
62 Devonshire  
Irvine, CA 92620  
a California Limited Liability Company

Defendants.

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 4/16/2021
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Civil Action No.: 1:20-cv-11074

JURY TRIAL DEMANDED

**~~PROPOSED~~ FINAL CONSENT JUDGMENT**

Plaintiff GLO SCIENCE, INC. (“GLO” or “Plaintiff”) and Defendants RAN TAO (TAO) and HEYGLOWUP LLC (HEYGLOWUP) (collectively referred to as “Defendants”) having resolved the disputed matters in issue between them, consent to entry of Final Judgment in this action as follows:

1. Defendants have been using the mark “glowup.” (Defendants’ mark) in association with advertising, marketing, offers for sale, and sales of teeth whitening substances and devices since in or around January 2019.

2. Plaintiff believes the actions of Defendants infringe Plaintiff's rights in and to the "GLO" marks identified in paragraphs 11-14 in the Complaint.

3. Defendants do not believe their actions in using Defendants' mark infringe any rights of Plaintiff.

4. The Parties have entered into a Settlement Agreement in which Defendants have agreed to cease and desist from future use of Defendants' mark in accordance with the terms and conditions of the Settlement Agreement and Plaintiff has agreed to dismiss this action, with prejudice, in accordance with the terms and conditions of this Consent Judgment.

5. Those terms and conditions include (1) Defendants' consent to entry of an injunction in which Defendants are permanently enjoined from any future use of Defendants' mark or any confusingly similar mark.

6. Defendants have also agreed to change the corporate name of co-Defendant HEYGLOWUP to a corporate name that does not include the expression "GLO" or "GLOW." or any other expression that is likely to cause consumer confusion vis a vis Plaintiff's family of "GLO" marks identified in paragraphs 11-15 of the Complaint.

**THEREFORE, IT IS HEREBY ORDERED THAT:**

1. This Court has jurisdiction of the subject matter of this case and of the parties consenting hereto. Venue in this District is proper.

2. The Clerk is directed to enter final judgment in this action, with prejudice, in accordance with the terms herein including dismissal of the Complaint.

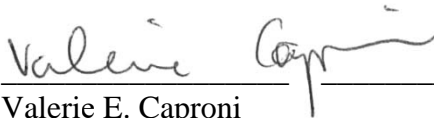
3. Pursuant to Rule 65 of the Federal Rules of Civil Procedure, Defendants are permanently enjoined from future use of Defendants' mark, or any colorable imitation

thereof, or any other mark that is likely to cause consumer confusion with respect to Plaintiff's family of "GLO" marks, the effective date of cessation of use by Defendants' mark being within three (3) months after the date of dismissal of the civil action, except that Defendant HEYGLOWUP is permitted to use the heyglowup.com URL for the purpose of redirecting traffic to HEYGLOWUP's new website for 24 months from the date of this dismissal.

4. Defendants are ordered within three (3) months from the date of entry of this Consent Judgment to change the corporate name of co-Defendant HEYGLOWUP to a corporate name that does not include the expression "GLO" or "GLOW." or any other expression that is likely to cause consumer confusion vis a vis Plaintiff's family of "GLO" marks as identified in paragraphs 11-15 of the Complaint.

5. Each Party will bear its own costs and attorneys' fees.

**SO ORDERED this 16th day of April, 2021.**

  
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Valerie E. Caproni  
United States District Judge

**CONSENTED TO on this 15th day of April, 2021.**

Dated: April 15, 2021

Respectfully submitted,

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Attorneys for Plaintiff  
GLO SCIENCE, INC.

Dated: April 15, 2021

Respectfully submitted,

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